

wherein, the slider (8) is formed as an annular support member having a predetermined radius and an axis of which extends parallel to the pivot axis.

### **REMARKS**

Reconsideration of the subject application in view of the present amendment is respectfully requested.

By the present amendment, claims 18 and 20 have been amended.

Based on the foregoing amendments and the following remarks, the application is deemed to be in condition for allowance, and action to that end is respectfully requested.

The Examiner has rejected claims 11-13, 15-16 and 18-20 under 35 U.S.C. § 102(b) as being anticipated by Rudolf, U.S. Patent No. 5,058,909 (Rudolf). It is respectfully submitted that claims 11-13, 15-16 and 18-20 are patentable over Rudolf.

Specifically, claim 18 recites that the radius R runs from the axis of the annular support member. This feature is shown in Figs. 1 and 2. Also, claim 20 discloses an annular support member having a predetermined radius and an axis of which extends parallel to the pivot axis. This is not disclosed in Rudolf.

Rudolf was discussed in detail in previous amendments, and it would be superfluous to repeat it here. It is unclear to the Applicant how the Examiner can regard the camming surface of lever 32 as “an annular support member”. The camming surface has a spiral profile with a steady increasing radius. Therefore it does not form an annulus that is defined by a permanent radius.

Applicant would also like to point out that the thrust piece 34 described by Rudolf does not form an annular support member according to the invention since the axis defined by the radius  $R$  is not parallel to the pivot axis of the locking lever. This support member, however, reduces the friction between the locking lever and the slider. Thus, claim 18 and the claims that depend therefrom and claim 20 are patentable over Rudolf.

In view of the above, it is respectfully submitted that Rudolf does not disclose each and every element covered by claims 18 and 20, as required by the case law for rejection under 35 U.S.C. §102 (pertinent cases have been cited in previous amendments).

Since Rudolf fails to disclose each and every feature of independent claims 18 and 20, Rudolf, as a matter of law, does not anticipate the present invention, as defined by said independent claims.

In view of the above, it is respectfully submitted that Rudolf does not anticipate or make obvious the present invention as defined in claims 18 and 20, and the present invention, as defined by said claim, is patentable over Rudolf.

Claims 11-13, 15-16 and 19 depend on claim 18 and are allowable for the same reasons claim 18 is allowable and further because of specific features recited therein which, when taken alone and/or in combination with features recited in claim 18 are not disclosed or suggested in the prior art.

Independent claim 20 relates to a tool with a quick-action device of claim 18 and is allowable for the same reasons claim 18 is allowable.


### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's amendment and the case passed to issue. Alternatively, should the Examiner feel

that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully Submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 7, 2004.

  
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Monique Joseph